

Draft CVPIA Fiscal Year 2010 Annual Work Plan

October 1, 2009

Program Title

San Joaquin River Comprehensive Plan – CVPIA Section 3406(c)(1)

Responsible Entities

Staff Name	Agency	Role
Jason Phillips	Reclamation	Program Manager
John Engbring	USFWS	Program Liaison

Program Goals and Objectives for FY 2010

A. Develop a comprehensive plan to reestablish and sustain naturally reproducing salmon in the San Joaquin River below Friant Dam, consistent with the September 13, 2006 Stipulation of Settlement (Settlement) for *Natural Resources Defense Council v. Rodgers* and with Section 3406(c)(1).

1. Continue work on, and prepare for, release of a Draft and Final Program Environmental Impact Statement/Environmental Impact Report (EIS/EIR) to implement the fisheries restoration and water management actions in the Settlement.
2. Continue development of a comprehensive Fisheries Management Plan, Fisheries Implementation Plan, and related analysis required to apply for a permit from the National Marine Fisheries Service (NMFS) to reintroduce salmon.
3. Continue development of Water Management actions and implementation of Settlement Paragraph 16(a) actions including water transfer provisions, developing Restoration Flow Guidelines, and developing guidelines for local assistance consistent with Public Law 111-11.
4. Continue Interim Flows through September 2010 to collect a range of information regarding river and channel characteristics, including flows, temperatures, fish needs, seepage losses, and water recirculation, recapture and reuse.
5. Continue with site-specific planning, engineering, environmental review, and other activities required to implement the actions called for in Paragraph 11(a) of the Settlement.

Status of the Program

In 1988, a coalition of environmental groups, led by the Natural Resources Defense Council (NRDC), filed this lawsuit challenging the federal defendants' compliance with the National Environmental Policy Act (NEPA) and the Endangered Species Act in connection with their renewal of the long-term water service contracts between the United States and the Central Valley Project, Friant Division contractors. Most of the Friant Division long-term

contractors intervened as additional defendants. On September 13, 2006, the Settling Parties (United States, NRDC, and Friant Water Users Authority) lodged with the Court a Stipulation of Settlement that provides for a “Restoration Goal” and a “Water Management Goal”. On October 23, 2006, the Judge overseeing the case issued an order approving the Stipulation of Settlement. Legislation authorizing the implementation of the Settlement (Public Law 111-11) was signed into law on March 30, 2009. Implementation of the activities called for in the Settlement began immediately after the Settlement was signed and continues. The San Joaquin River Restoration Program (SJRRP or Program) will implement the Settlement consistent with Public Law 111-11 and CVPIA Section 3406(c)(1).

As part of the Performance Assessment and Rating Tool process in 2006, the CVPIA Fisheries Independent Review Panel recommended a number of processes to improve efforts to double anadromous fish in the Central Valley. These recommendations included the development of conceptual models to form the basis of restoration actions, the use of quantitative modeling tools to help identify actions, and the development of transparent decision processes and documents. The draft Fisheries Management Plan completed by the Program in June 2009 fulfills many of the recommendations by the Independent Review Panel including the use of conceptual models, quantitative modeling tools, and a clear decision matrix.

FY 2009 Accomplishments

Expanded public/stakeholder involvement process – Expanded opportunities for public and stakeholder involvement in the Program were implemented in FY 2009. Beginning in FY 2009, three different public Technical Feedback Groups (TFG) will meet regularly focusing on different technical aspects of the Program and providing interested parties an opportunity to give input into the development of technical memoranda and the overall Program direction. The three Program areas supported by TFGs are Fisheries Management, Water Management, and the recently added Restoration Goals. In addition to the TFG monthly meetings, landowner meetings in Reaches 2B and 4B were also initiated in FY 2009 along with an expanded and more comprehensive public web site, restoresjr.net, whereby members of the public can email questions through the web site and sign up to receive printed Program updates through the mail. The public outreach efforts provide information to key stakeholders and the public on the Program’s progress toward developing plans to restore the San Joaquin River and reduce or avoid water supply impacts to Friant Division contractors.

Completed significant milestones toward the Program EIS/EIR –

- Completed and made available for comment the Fisheries Management Plan.
- Continued to negotiate Temporary Entry Permits with the Resource Management Coalition to access private property and collect needed data for environmental documentation and facility designs.
- Released a Draft and Final Interim Flows Environmental Assessment/Mitigated Negative Declaration

Initiated environmental review and engineering for two site-specific projects -

- Mendota Pool Bypass and Reach 2B Channel Improvements Project – Notice of Intent was published in the Federal Register in June and scoping meetings were held in July 2009.
- Reach 4B, Eastside Bypass, and Mariposa Bypass Low Flow Channel and Structural Improvements Project - Notice of Intent is anticipated to be published in the Federal Register in September and scoping meetings are scheduled for September 2009.

Continued Field Activities -

- On public lands and private property where access has been obtained, continued the collection of data regarding cultural resources, topography, geology, and other data required to complete site-specific environmental reviews and engineering designs.
- Began drilling activities for groundwater monitoring wells on public rights-of-way and private property where access has been granted to monitor Interim Flows.
- Began blunt-nosed leopard lizard surveys in the Eastside and Mariposa bypasses.

Table 1. FY 2010 Tasks, Costs, Schedules and Deliverables

Task or Subtask Number	Name of Activity	FTE	Description of Activity	Completion Date	Restoration Fund Anticipated	Water and Related Resources Anticipated	State or Other Sources Anticipated	Total All Sources Anticipated
1.1	Program Management		Responsible for overseeing the implementation of the Settlement and providing overall direction for the Five Agency implementation process.					
1.1.1		3	MP-170 (SJRRP Program Office) – Reclamation Responsible for overseeing the implementation of the Settlement and providing overall direction for the Five Agency implementation process.		\$541,170	\$0	\$0	\$541,170
1.1.2		0.1	USFWS		\$21,020	\$0	\$0	\$21,020
	<u>Subtotal Costs</u>	3.1			\$562,770	\$0	\$0	\$562,770
1.9	Environmental Compliance		Includes development of a PEIS/R and subsequent environmental documents required to implement the provisions of the Settlement. Also includes the development of a Fish Management Plan and related analysis required to apply for a permit from NMFS to reintroduce Salmon into the San Joaquin River below Friant Dam.					
1.9.1		0.05	USFWS STFO, FMWG Lead		\$11,390	\$0	\$0	\$11,390
1.9.2		1	USFWS STFO, Fisheries Model		\$227,820	\$0	\$0	\$227,820
1.9.3		0.5	USFWS STFO, Fisheries Technical		\$113,910	\$0	\$0	\$113,910
1.9.4		0.4	USFWS SFFO, Environmental Compliance		\$84,110	\$0	\$0	\$84,110
	<u>Subtotal Costs</u>	1.95			\$437,230	\$0	\$0	\$437,230
	Total Costs	5.05			\$1,000,000	\$0	\$0	\$1,000,000
	Reclamation Total	3.0			\$541,750	\$0	\$0	\$541,750
	Service Total	2.05			\$458,250	\$0	\$0	\$458,250

1. USFWS budget assumes a 2010 rate of \$186,740 per FTE for Stockton/Lodi Employees and \$172,338 per FTE for Sacramento Employees, before overhead (22%), for a total rate of \$227,823 per FTE for Stockton/Lodi Employees and \$210,253 per FTE for Sacramento Employees.

Table 2. Budget Breakout

Task	Agency	FTE	LABOR		CONTRACTS		USBR Only Misc. Costs	Total Costs
			Direct Salary, Benefits, and Admin Costs ^{1/}	FWS Only Overhead Assess: 22% of Direct Salary and Benefits Costs ^{2/}	Contract, Grant, and Agreement Costs	FWS Only Overhead Assess: 6% Contract Costs ^{2/}		
1.1 Program Management	FWS	0.1	\$17,230	\$3,790	\$0	\$0		\$21,020
	USBR	3	\$540,000		\$0		\$1,750	\$541,750
1.9 Environmental Compliance	FWS	1.95	\$358,390	\$78,840	\$0	\$0		\$437,230
	USBR		\$0		\$0		\$0	\$0
Administrative Total - FWS			\$375,620	\$82,630		\$0		\$458,250
Contracts, Grants and Agreements Total - FWS					\$0			\$0
FWS Total Costs		2.05	\$375,620	\$82,630	\$0	\$0		\$458,250
Administrative Total - USBR			\$540,000				\$1,750	\$541,750
Contracts, Grants and Agreements Total - USBR					\$0			\$0
USBR Total Costs		3	\$540,000		\$0		\$1,750	\$541,750
TOTAL ALL		5.05	\$915,620	\$82,630	\$0	\$0	\$1,750	\$1,000,000

^{1/} For FWS only: The FWS develops a bio-rate which is the combination of both the salary/benefit and related administrative costs. The FWS simple definition reads, "It is an average \$\$ rate that is developed and used for estimating project costs. It incorporates a biologist's salary and benefits, supervisory, clerical and biologist support costs and all other office operating costs related to completing project tasks.

^{2/} FWS assesses an O/H Burden charge of 6% on all contracts/agreements related to budget object codes starting with 25, 41, and 32, and a charge of 22% on costs under all other budget object codes.

Table 3. DRAFT CVPIA 3-Year Budget Plan, FY 2011 – 2013

(\$ amounts in thousands)

Year	Description of Activities	Requested RF Funding	Requested W&RR Funding
2011	Continue site-specific planning, engineering, environmental review, and other activities required to implement the actions called for in the Settlement. Complete application for a permit from NMFS to reintroduce Chinook salmon to the San Joaquin River. Initiate Interim Flows from Friant Dam.	\$2,000	\$0

Year	Description of Activities	Requested RF Funding	Requested W&RR Funding
2012	Continue site-specific planning, engineering, environmental review, and other activities required to implement the actions called for in the Settlement. Continue Interim Flows from Friant Dam. Initiate construction actions that have appropriate environmental compliance and permits.	\$2,000	\$0
2013	Continue site-specific planning, engineering, environmental review, and other activities required to implement the actions called for in the Settlement. Continue Interim Flows from Friant Dam. Continue existing construction activities and initiate new construction actions that have appropriate environmental compliance and permits. Reintroduce Chinook salmon below Friant Dam consistent with a permit from NMFS.	\$2,000	\$0

Note: The FY 2011 – 2013 Budget Plan provides estimates of capability only. The amounts are displayed are those that might be reasonably appropriated each year. These figures do not reflect the future Congressional Appropriations process. All of these estimates will be adjusted annually as RF collections are realized.